

B1 (Official Form 1)(04/13)

United States Bankruptcy Court District of Nevada		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Capriati Construction Corp. Inc.		Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) 05-0475007		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): 1020 Wigwam Pkwy Henderson, NV <div style="text-align: right; font-size: small;">ZIP Code 89074</div>		Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right; font-size: small;">ZIP Code</div>
County of Residence or of the Principal Place of Business: Clark		County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>		Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):		
Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
Chapter 15 Debtors Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending:	Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (<i>amount subject to adjustment on 4/01/16 and every three years thereafter</i>). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000		
Estimated Assets <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		
Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion		

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Capriati Construction Corp. Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

- None -

Case Number:

Date Filed:

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Capriati Construction Corp. Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Brandy Brown _____
Signature of Attorney for Debtor(s)

Brandy Brown 9987 _____
Printed Name of Attorney for Debtor(s)

Kung & Brown _____
Firm Name
214 S. Maryland Pkwy
Las Vegas, NV 89101

Address

Email: bbrown@ajkunglaw.com

702-382-0883 Fax: 702-382-2720 _____
Telephone Number

October 7, 2015 _____
Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ David Rocchio _____
Signature of Authorized Individual

David Rocchio _____
Printed Name of Authorized Individual

President _____
Title of Authorized Individual

October 7, 2015 _____
Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

B4 (Official Form 4) (12/07)

United States Bankruptcy Court
District of Nevada

In re **Capriati Construction Corp. Inc.**

Debtor(s)

Case No.

Chapter

11

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
84 Lumber PO Box 365 Eighty Four, PA 15330	84 Lumber PO Box 365 Eighty Four, PA 15330	Trade Debt		65,464.79
Ahern Rentals PO Box 271390 Las Vegas, NV 89127	Ahern Rentals PO Box 271390 Las Vegas, NV 89127	Trade Debt		59,787.80
Cal Portland Company PO Box 847409 Los Angeles, CA 90084	Cal Portland Company PO Box 847409 Los Angeles, CA 90084	Trade Debt		590,403.20
Caserta LLC 3097 E. Warm Springs Rd. #300 Las Vegas, NV 89120	Caserta LLC 3097 E. Warm Springs Rd. #300 Las Vegas, NV 89120	Business debt		77,600.00
Cashman Equipment PO Box 843397 Los Angeles, CA 90084	Cashman Equipment PO Box 843397 Los Angeles, CA 90084	Trade Debt		99,834.66
Diamond Concrete Cutting 80 Corporate Park Drive Las Vegas, NV 89118	Diamond Concrete Cutting 80 Corporate Park Drive Las Vegas, NV 89118	Trade Debt		49,988.50
Dispatch Transportation 14032 Santa Ana Avenue Fontana, CA 92337	Dispatch Transportation 14032 Santa Ana Avenue Fontana, CA 92337	Trade Debt		77,147.29
First Insurance Funding PO Box 66468 Chicago, IL 60666	First Insurance Funding PO Box 66468 Chicago, IL 60666	Business Debt		65,056.95
Horizontal Boring and Tunneling 505 S, River Ave. Exeter, NE 68351	Horizontal Boring and Tunneling 505 S, River Ave. Exeter, NE 68351	Trade Debt		119,830.39
Keller Paving and Landscaping 1820 Highway 2 Bypass East Minot, ND 58701	Keller Paving and Landscaping 1820 Highway 2 Bypass East Minot, ND 58701	Trade Debt		1,196,146.14
Las Vegas-Phoenix Post Tension 336 E. Country Club Dr. Henderson, NV 89015	Las Vegas-Phoenix Post Tension 336 E. Country Club Dr. Henderson, NV 89015	Trade Debt		126,830.00

B4 (Official Form 4) (12/07) - Cont.

In re **Capriati Construction Corp. Inc.**

Case No. _____

Debtor(s)

LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Main Electric Construction 2626 Valley Street Minot, ND 58702	Main Electric Construction 2626 Valley Street Minot, ND 58702	Trade Debt		331,268.40
Patriot Lube PO Box 231059 Las Vegas, NV 89105	Patriot Lube PO Box 231059 Las Vegas, NV 89105	Trade Debt		212,418.95
RDO Trust PO Box 7160 Fargo, ND 58106	RDO Trust PO Box 7160 Fargo, ND 58106	Trade Debt		111,111.96
Reseco Insurance Advisors 7901 North 16th St. Ste 100 Phoenix, AZ 85020	Reseco Insurance Advisors 7901 North 16th St. Ste 100 Phoenix, AZ 85020	Business Debt		71,453.86
River City Petroleum 4870 E. Cartier Avenue Las Vegas, NV 89115	River City Petroleum 4870 E. Cartier Avenue Las Vegas, NV 89115	Trade Debt		58,606.47
Soil Tech Inc. 6420 S. Cameron #207 Las Vegas, NV 89118	Soil Tech Inc. 6420 S. Cameron #207 Las Vegas, NV 89118	Trade Debt		52,647.45
Sukut Equipment 4010 W. Chandler Santa Ana, CA 92704	Sukut Equipment 4010 W. Chandler Santa Ana, CA 92704	Trade Debt		86,964.00
Susan Frankewich 3210 W, Charleston Blvd, Bldg 4 Las Vegas, NV 89102	Susan Frankewich 3210 W, Charleston Blvd, Bldg 4 Las Vegas, NV 89102	Trade Debt		110,381.42

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **October 7, 2015**

Signature **/s/ David Rocchio**
David Rocchio
President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

Capriati Construction Corp. Inc.
1020 Wigwam Pkwy
Henderson, NV 89074

Brandy Brown
Kung & Brown
214 S. Maryland Pkwy
Las Vegas, NV 89101

84 Lumber
PO Box 365
Eighty Four, PA 15330

Ahern Rentals
PO Box 271390
Las Vegas, NV 89127

Cal Portland Company
PO Box 847409
Los Angeles, CA 90084

Caserta LLC
3097 E. Warm Springs Rd. #300
Las Vegas, NV 89120

Cashman Equipment
PO Box 843397
Los Angeles, CA 90084

Clark County Accessor
c/o Bankruptcy Clerk
500 S. Grand Central Pkwy.
Box 551401
Las Vegas, NV 89155

Clark County Treasurer
c/o Bankruptcy Clerk
500 S. Grand Central Parkway
PO Box 551220
Las Vegas, NV 89155

Dept. of Employment, Training, and Rehab
Employment Securit Division
Carson City, NV 89713

Diamond Concrete Cutting
80 Corporate Park Drive
Las Vegas, NV 89118

Dispatch Transportation
14032 Santa Ana Avenue
Fontana, CA 92337

First Insurance Funding
PO Box 66468
Chicago, IL 60666

Horizontal Boring and Tunneling
505 S, River Ave.
Exeter, NE 68351

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

Keller Paving and Landscaping
1820 Highway 2 Bypass East
Minot, ND 58701

Las Vegas-Phoenix Post Tension
336 E. Country Club Dr.
Henderson, NV 89015

Main Electric Construction
2626 Valley Street
Minot, ND 58702

Nevada Department of Taxation
Bankruptcy Section
555 E. Washington Ave #1300
Las Vegas, NV 89101

Patriot Lube
PO Box 231059
Las Vegas, NV 89105

RDO Trust
PO Box 7160
Fargo, ND 58106

Reseco Insurance Advisors
7901 North 16th St. Ste 100
Phoenix, AZ 85020

River City Petroleum
4870 E. Cartier Avenue
Las Vegas, NV 89115

Soil Tech Inc.
6420 S. Cameron #207
Las Vegas, NV 89118

Sukut Equipment
4010 W. Chandler
Santa Ana, CA 92704

Susan Frankewich
3210 W, Charleston Blvd, Bldg 4
Las Vegas, NV 89102

United States Trustee
300 Las Vegas BLVD S. #4300
Las Vegas, NV 89101

**United States Bankruptcy Court
District of Nevada**

In re **Capriati Construction Corp. Inc.**

Debtor(s)

Case No.
Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Capriati Construction Corp. Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

October 7, 2015

Date

/s/ Brandy Brown

Brandy Brown 9987

Signature of Attorney or Litigant

Counsel for **Capriati Construction Corp. Inc.**

Kung & Brown

214 S. Maryland Pkwy

Las Vegas, NV 89101

702-382-0883 Fax:702-382-2720

bbrown@ajkunglaw.com